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HDP/SB/21 based on PTO/SB/21 (08-00)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/207,748

Filing Date December 8, 1998

Inventor(s) Qi Bi et al.

Group Art Unit 2666

Examiner Name Phuc H. Tran

Attorney Docket Number 29250-000667/US

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OCT 04 2004

Technology Center 2000

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Letter to the Official Draftsperson and \_\_\_\_\_ Sheets of Formal Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Group

☐ LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims)

☒ Appeal Communication to Group (Notice of Appeal, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☐ Other Enclosure(s) (please identify below):

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Harness, Dickey & Pierce, P.L.C.

Attorney Name

Gary D. Yacura

Reg. No.

35,416

Signature

Date

Gary D. Yacura

45,274

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2003**

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/207,748
Filing Date	December 8, 1998
Inventor(s)	Qi Bi et al.
Examiner Name	Phuc H. Tran
Group Art Unit	2666
Attorney Docket No.	29250-000667/US

**RECEIVED**  
**OCT 04 2004**

Technology Center

**TOTAL AMOUNT OF PAYMENT (\$)** 330.00**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

08-0750

Deposit  
Account  
Name

Harness, Dickey &amp; Pierce, P.L.C.

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17
- 
- ☐
- Applicant claims small entity status.
- 
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check    ☐ Credit card    ☐ Money  
Order    ☐ Other
**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$ 0)

**2. EXTRA CLAIM FEES**

Total Claims	Entity	Small	Entity	Extra Claims	Fee from below	Fee Paid
20	-20 **			X		
Independent Claims	3	-3 **		X		
Multiple Dependent				X		

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	1053	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	330.00
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 330.00)

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Gary D. Yacura

Registration No. Attorney/Agent)

35,416

Telephone

703-668-8000

Signature

45,274

Date

September 29, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. **Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.



MAIL STOP AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2666

PATENT  
29250-000667/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

**RECEIVED**  
OCT 04 2004  
Technology Center 2600

Applicant: Qi BI et al. Conf.: 7216  
Appl. No.: 09/207,748 Group: 2666  
Filed: December 8, 1998 Examiner: Phuc H. Tran  
For: VARIABLE RATE FORWARD POWER CONTROL FOR MULTICHANNEL APPLICATIONS

Docket No.: 29250-000667/US

**NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

U.S. Patent and Trademark Office  
220 20<sup>th</sup> Street S.  
Customer Window Mail Stop AF  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

September 29, 2004

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated June 29, 2004 of the Primary Examiner finally rejecting claims 1-4 and 9-24.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

Applicants hereby petition for an extension of \_\_\_\_\_ ( ) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☐ NO extensions of time have been previously obtained for responding to the Final

10/01/2004 CCHAU1 00000017 09207748

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330.00 0P

Rejection. Thus a fee of \$.00 is required for the full period of the above-requested extension of time.

- ☐ An extension of \_\_\_\_\_ (\_\_\_\_\_) month(s) for responding to the Final Rejection was previously requested and paid for on \_\_\_\_\_. Thus a fee of \$ \_\_\_\_\_ is required.
- ☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- ☒ Large entity - \$330.00
- ☐ Small Entity - \$165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$330.00.

Payment of the above TOTAL FEE is being made in the following manner:

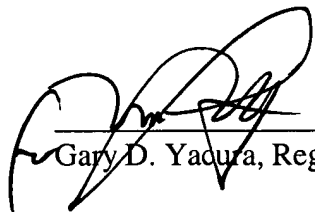
- ☒ Check in the amount of \$330.00 is enclosed.
- ☐ Please charge Deposit Account No. 08-0750 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

 45,274  
\_\_\_\_\_  
Gary D. Yacura, Reg. No. 35,416

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GDY/MJL:js